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ABSTRACT

This booklet presents teacher-developed units of study on the American government for eleventh-grade students. The materials are Part I of a set of classroom strategies intended to help secondary students examine American history in light of the issues identified by the American Issues Forum. Students analyze the U.S. Constitution, draw cartoons, examine legislative logs and senators' schedules, interview members of legislative bodies, and write summaries of legislative processes. Data and descriptive analyses on a broad range of topics are provided, as are questions for discussion on each subject. Content includes an examination of the democratic procedure of voting, a look at the legislative process of making statute law, a description of legislative districts and of how representatives and senators help their constituents, and examples of presidential actions taken during a typical two-week period. The self-contained materials may be used directly by the students and are easily adapted for individualized instruction. Additional resource materials on American government are also cited. Because the units are in field-test condition, suggestions for modifications or substitutions are welcome. (Author/RM)

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MATERIALS FOR USING AMERICAN ISSUES FORUM IN THE AMERICAN HISTORY CLASSROOM

TOPIC IV: A MORE PERFECT UNION: THE AMERICAN GOVERNMENT

Part I

The University of The State of New York
The State Education Department
Bureau of Secondary Curriculum Development
Albany, New York 12234
1976

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FOREWORD

This set of modules and succeeding sets to be mailed during this school year have been produced in consonance with the program of the American Issues Forum, under a grant from the National Endowment for the Humanities. The classroom strategies are intended to provide suggestions for examining American history in the light of the issues identified by the national committee which proposed the American Issues Forum. In view of the topical nature of the 11th grade social studies program, this can be done without seriously disrupting most teaching programs.

The materials are in fieldtest condition, so that classes and teachers may provide imput concerning learning experiences which prove to be most useful. Some assessment of each strategy used by some or all of the students, and suggestions of modifications or substitutions will help the Department produce a final set of strategies which will carry the themes of the American Issues Forum into the future, as we look beyond the Bicentennial year.

The Evaluation Form appears on page iv.

These modules form Part I of 3 parts for the topic, *A More Perfect Union: The American Government*.

Gail F. Hubbard, a former teacher at Ithaca High School, developed these materials, as part of the work being done under a grant from the National Endowment for the Humanities. Donald H. Bragaw, Chief, Bureau of Social Studies Education, is coordinating the project. The manuscript was prepared for publication by Janet M. Gilbert, associate in Curriculum Development.

GORDON E. VAN HOOFT, Director
Division of Curriculum Development

EVALUATION FORM FOR
A MORE PERFECT UNION: THE AMERICAN GOVERNMENT

Please return this form to the Bureau of Secondary Curriculum Development, The State Education Department, Albany, New York 12234.

1. Classroom strategies used (list by pages)

2. How many students were involved in using this material?

3. Were the reading passages/statistical materials/graphics within the comprehension level of most of the students using them? (list by pages and indicate how satisfactory each was, if a single answer does not apply)

4. Were the suggested questions, and/or the learning strategies interesting and helpful to students in reaching the understandings or developing the desired concepts? (list by pages and indicate how satisfactory each was, if a single answer does not apply)

5. Please suggest substitutions of readings/statistics/graphics which you think would be more appropriate.

6. Please suggest modifications of the learning strategies to make them more effective for more students.

Send descriptions of learning strategies, with references to reading passages, etc., which you have found effective in teaching these same understandings or concepts.

Your signature and school identification is optional; we'd like to give you credit, if we use any of your ideas!

TO THE TEACHER

The aim of these modules is to use readily available government materials to stress the importance of process values in American governmental action. The emphasis is on how the American government acts rather than on what government does.

This material is self-contained and may be used directly by the student. This may prove helpful if you are working with individualized instruction and needs some process-oriented materials.

Except for the first section, most of the documents have been printed on a single page so that the document may be easily reproduced. This means that the materials may be used with an entire class with as little material reproduction as possible. Where possible illustrations are available in the Constitution, they have been used to limit the need to reproduce additional materials. The guide questions can serve to help with lesson planning while the documents serve as student material.

Additional current and specific documents should be easily adapted to this organization. Suggestions for obtaining government documents are given on the next page. Your Representative is also a valuable source of documents. For example, he or she would probably be very happy to send you a class size set of one of his or her newsletters.

While this material concentrates on available government documents and does not include suggestions for film use, the State Education Department would be pleased to hear of any audiovisual material that had been successfully used within the framework of this unit.

Most schools have good resources on the actions of various Presidents. Materials on Congress are a bit more difficult to find but are available. The use of some of these historical materials would add to this unit. Teachers are urged to share good historical lessons used to teach how the American governmental system operates. The State Education Department would be extremely interested to hear how specific historical materials have been integrated into a process-oriented unit on government.

MODULES RELATED TO THE AMERICAN ISSUES TOPIC, A MORE PERFECT UNION: THE AMERICAN GOVERNMENT

In this and succeeding segments, you will find the following modules:

"IN CONGRESS ASSEMBLED...:" A REPRESENTATIVE LEGISLATURE

SECTION A THE VOTE: A DEMOCRATIC PROCEDURE
SECTION B THE REPRESENTATIVE OF THE PEOPLE
SECTION C THE LEGISLATOR

A PRESIDENT: AN ELECTED EXECUTIVE

SECTION D THE PRESIDENT - THE LAWMAKER
SECTION E THE PRESIDENT - LEADERS OF ALL/SOME OF THE PEOPLE
SECTION F THE PRESIDENT - LIMITS ON AUTHORITY

"THE GOVERNMENT": THE GROWTH OF BUREAUCRACY

SECTION G THE FEDERAL BUREAUCRACY - PRESIDENTIAL DECISION-MAKING
SECTION H THE FEDERAL BUREAUCRACY - DEFINITION, PROCEDURES, AND PROBLEMS
SECTION I THE FEDERAL BUREAUCRACY - THE SECRET AGENCY IN AN OPEN SOCIETY

"BY THE CONSENT OF THE STATES..."

SECTION J THE FEDERAL - STATE - LOCAL RELATIONSHIP - TAXATION
SECTION K THE FEDERAL - STATE - LOCAL RELATIONSHIP - THE BUREAUCRACY
SECTION L THE FEDERAL - STATE - LOCAL RELATIONSHIP - THE CITY

Specific Government Publications Available:

In each case, make your check out to the Superintendent of Documents. The Federal Government accepts only pre-paid orders, but they charge no postage.

There is one publication available only from U.S. Department of Commerce
Bureau of the Census
Subscriber Service Section
Room 1121, Building #4
Washington, D.C. 20233

(check is still to Sup. of Doc.)

This publication is Ninety-Fourth Congress (number changes with each Congress)

Congressional District Data - New York $1.20

(document is filled with census statistics organized according to Congressional District - statistics given include Population, Racial and Ethnic Groups, Education, Income, Occupations, Housing)

The remaining publications are available from Superintendent of Documents
U.S. Government Printing Office
Washington, C.C. 20402

The Congressional Record - House of Representatives $ .25
(prepared for each day Congress is in session)

The Congressional Record - Senate .25
(prepared for each day the Senate is in session)

The Federal Register .75
(prepared for each Federal Government work day)

The Weekly Compilation of Presidential Documents .50
(prepared each week - published on Monday)

One very good (and very large) chart is available.

Organization of Federal Executive Departments and Agencies .75

All of these materials can be reproduced without specific permission.

OBJECTIVES

Skill Objectives

1. After reviewing specified documents, charts, graphs, cartoons, or materials from magazines and newspapers, the student will be able to answer questions. These questions are sequenced to check for cognitive skills ranging from identification to comprehension to application.

2. After answering specific questions on materials presented, the student may be asked to analyze materials. Usually alternate strategies are given for the student who has trouble with analysis.

3. In the last section of the package, the student will be asked to synthesize materials. (Guidance is given, but the teacher whose students would have extreme difficulty with organizing materials might want to structure this section differently.)

Content Objectives

Given the materials included, the student will:

1. discriminate between the outcome goals and the process values.

2. describe the role of the legislator as constituent representative and as statute lawmaker.

3. describe the role of the President as representative of the people and as statute and administrative lawmaker.

4. describe the role of the "Bureaucrat" as a maker of administrative law and as an administrator of statute law and administrative rules.

5. identify the process values involved in the process of making statute law and in the process of making administrative rules.

6. discriminate between the process of making statute law and the process of making administrative rules.

7. identify the value conflict involved in administering statutes and rules in a way to protect process values and gain desired outcomes.

8. describe the role of the Federal, State, and local governments in term of the concurrent power of taxation.

9. after examining the growth of the governmental sector of the American economy, analyze the value conflict between the needs of citizens serviced by the government and the needs of citizens employed by the government.

10. given three positions on a problem based on local reliance, Federal assistance, and regional organization, distinguish between the positions and create a viable position on the problem.

THE VOTE: A DEMOCRATIC PROCEDURE

What is a process value?

Select one change that each member of your high school class would like to see in your school or have each member of the class select a particular change he would like to see. The individual changes do not have to be shared with the group as a whole.

In 5 minutes, each member of the class should make a list of all the possible ways (no holds barred) that the change could be brought about. Draw a continuum on the board and list the methods of making change from the most peaceful to the most violent and disruptive or organize your own list on a continuum drawn on a piece of paper.

Peaceful		Violent
Legal	Extra-Legal	Revolution

Now balance the importance of the change you would like with the process you are planning to use to make the change. How many of the procedures that you have mentioned would you actually use to make this particular change?

Examine the diagram below.

Methods Used to Make Change	Changes Itself
Good Process	Good Outcome
Bad Process	Bad Outcome

What is a good or bad process? What is a good or bad outcome? Different societies define these terms differently. A good process or a good outcome in one society might not be considered good in another. What a society considers a good process or outcome may also change with time.

One of our aims as we work with these materials on American government will be to discover what procedures our society considers a part of good or fair process. A second aim will be to discover what might be considered a good outcome of a governmental process. Frequently the members of a society agree on the proper process to be followed even when they disagree on the result. When the citizens generally agree on a process as "fair," we can usually say that the society supports that particular process value.

It is also important to realize that we can have a good process with a bad outcome. We could also have a bad process with a good outcome. We can also have both a good process and a good outcome and a bad process and a bad outcome. The outcome does not always relate to the process.

Frequently we unconsciously balance our process values and our desired outcome. If a result is very much wanted, and the process value that we must

ignore very much treasured, we may create a difficult decision for ourselves because we have a conflict between two things we value.

Consider the following question. Was the American Revolution an example of a good outcome that resulted from a bad process? Write a very short paragraph on this question now and keep your answer.

Module 1 - The Vote: A Democratic Procedure

Americans believe that their political process should be democratic. A democratic political process includes a number of beliefs about the process of voting.

- Decisions must be made by a majority of those voting.
- All citizens must have the right to vote.
- Each citizen's vote must be equal to that of any other citizen.
- Each citizen's vote must affect the lawmaking process.
- Can you add any other American values about the right to vote?

Let's examine the American right to vote. Remember, we are looking at a complex procedure which includes many American political process values.

The authors of the Constitution believed that the Members of the House of Representatives should be chosen every second year by the people of the several states, but that the Senate of the United States should be composed of two Senators from each state chosen by each state legislature. In each case, a majority was to rule.

- What American process value is supported by this method of selecting legislators?
- What American process values are not supported by this method of selecting legislators?

If you visit the restored Capitol building at Williamsburg, you will see the place where the House of Burgesses, the first representative assembly in the United States, met. You will also see a richly decorated room where a much smaller group, the Governor's Council, met. This Council was known as the upper house and was composed of appointed members. Frequently these wealthy men served on the council for life and with their deaths, their children might take their places. Most of the colonies had an appointed upper house. This house was supposed to balance the elected assembly; to be a more deliberate and conservative body.

The Senate of the United States was originally seen as a balance for the House of Representatives.

ARTICLE I.

SECTION 1. All legislative Powers herein granted shall be vested in a Congress of the United States which shall consist of a Senate and House of Representatives.

SECTION 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

SECTION 3. The Senate of the United States shall be composed of two Senators from each State, [chosen by the Legislature thereof,]***for six Years; and each Senator shall have one Vote.

- How were Senators to be chosen? How were Representatives to be chosen?
- How long were Senators to serve? How long were Representatives to serve?

In 1913, the citizens were granted the right to elect Senators directly.

AMENDMENT XVII

(Ratified April 8, 1913)

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures. ...

- What did the authors of the Constitution see as the function of Senators? Were they representatives of the people or representatives of the states?
- Why is a direct election regarded as a more democratic process than an indirect election?
- Re-examine the list of process values that are part of the American right to vote. Which ones can be applied to this situation?

SECTION 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous branch of the State Legislature.

- According to the Constitution, who decided who could vote for members of the House of Representatives?

Until the 1840's, the Federal Government took no action to limit the rights of the states to determine the qualifications of voters for the most numerous house of the state legislature and, therefore, the qualifications of voters for Members of the House of Representatives. However, various states did hold State Constitutional Conventions and did change the

requirements for voting for state legislators. Most of these constitutional changes reduced or eliminated the property qualifications originally necessary for voting in most of the 13 original states. The new states entering the union usually did not have property qualifications for voting written in their constitutions. On a state-by-state basis, universal white manhood suffrage became the rule by the middle of the 1820's. In certain northern states, some freed blacks also voted.

- Which parts of the American political value of the right to vote can be applied here?

After the Civil War, the Federal Government began to take a dominant role in determining what citizens had the right to vote. Read the Amendment below.

- What persons were not to be denied the right to vote?

AMENDMENT XV

(Ratified February 3, 1870)

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude—

SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.

The Civil Rights Act of 1964 in Title I prohibits unequal application of registration requirements or the denial of the right to vote because of minor omissions and errors on forms.

The Voting Rights Act of 1965 gave the Attorney General power to appoint Federal examiners where a literacy test or other qualifying device was in effect and where fewer than 50 percent of the voting-age residents had registered or voted in 1964.

- When was Amendment XV ratified?
- Why were the Civil Rights Act of 1964 and the Voting Rights Act of 1965 necessary if Amendment XV had been ratified nearly 100 years earlier?
- Examine the acts of 1964 and 1965 carefully. What practices were being used to stop black citizens from voting? How do these practices violate our American support of the right to vote?

AMENDMENT XXIV

(Ratified January 23, 1964)

SECTION 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President,

or for Senator or Representative in Congress, shall not be denied or abridged by the United States by reason of failure to pay any poll tax or other tax.

SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.

- What kinds of citizens would not be able to vote because of a poll tax?
- Why does a poll tax violate basic process values?
- How was the poll tax actually used? Why was Amendment XXIV considered a part of the black struggle for the right to vote?

According to a Supreme Court decision handed down in 1874, the Constitution did not grant the right of suffrage with the right of citizenship. Therefore, females who were considered citizens were not necessarily entitled to the right to vote. The states had always had the right to withhold the right of suffrage from certain classes of males and could withhold it from females.

Eighteen-year-olds were granted the right to vote in a section of the Voting Rights Act of 1970. The Supreme Court declared that section of the act unconstitutional. According to the Supreme Court, such a right to vote had to be either granted by a state law or by a Federal Amendment.

- How did the Supreme Court refuse to expand the right of suffrage in these two cases?
- Why did the Supreme Court refuse to expand the right of suffrage? How does this show support of some of the process values involved in the democratic political process?

AMENDMENT XIX

(Ratified August 18, 1920)

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XXVI

(Ratified July 1, 1971)

SECTION 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.

- Why do you think the right to vote was granted to women in 1920 when the first state to grant women the right to vote had done so in 1870? Why did the fight for woman's suffrage take so long?
- Why were eighteen-year-olds not permitted to vote until 1971? Why do you think the vote was granted to them?
- What basic American process values are involved in the actual expansion of the right to vote? What basic American process values are involved in how the right to vote was granted?

Turn to page 7 and review Article I, Section 2. Then read the following Amendment.

AMENDMENT XXIII

(Ratified March 29, 1961)

SECTION 1. The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.

- Why was Amendment XXIII necessary?

In order to have a democratic legislature, not only must the legislature be democratically elected, but the process of operation within the legislature must be democratic.

SECTION 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members.

Both the House of Representatives and the Senate have used a Committee System since the First Congress finally assembled a quorum in April 1789. Chairmen of various Congressional Committees are powerful because they can decide what legislation to consider and frequently rule on procedures to be followed. Congressional Committee chairmen are usually selected on the basis of Seniority. This means that the member of the Committee who has served the greatest number of years on that committee serves as its chairman.

. Give several reasons why the same representative or Senator might be re-elected over a long period of time.

The Ninety-Fourth Congress, elected in 1974, included a record number of first-term or Freshmen Representatives. These Representatives believed that the seniority system was undemocratic because:

(a) it gave the people represented by Freshmen a Representative with little influence so people represented by a Representative with seniority actually had greater representation.

(b) it meant that the laws were not made by a democratic process because the new Representatives had little influence on the lawmaking process.

. How were the process values held by the Freshmen Representatives violated?

When the Democratic Members of the House met in their organizational meeting or caucus, the Freshmen members voted as a bloc to change the procedure. According to the Library of Congress Congressional Research Service, this is what happened:

> The caucus changed its procedure for selecting chairmen. ... The new practice is as follows: The Democratic Steering and Policy Committee selects one candidate for chairman of each committee, usually based on the member's seniority on the committee. These Steering and Policy Committee selections are then subject to approval by the Democratic Caucus on a secret ballot. If the original nominee is defeated, the Steering and Policy Committee then nominate a second choice, but does not necessarily have to follow seniority in making that second choice. Additional nominations are then accepted from the floor in caucus, and a vote is taken. The nominee of the Steering and Policy Committee competes with any nominees presented from the caucus.

Most Committee Chairmen nominated on the basis of seniority were approved by the secret ballot. Three were defeated and were replaced.

. Why can we now say that democratic process values are more protected in the House of Representatives?

THE LEGISLATOR

Making a Statute Law - The Process

Examine the Sections of the Legislative Log of Senator Javits. (See page 19.) Then examine Article I, Section 7 of the United States Constitution. (See page 15.)

Prepare a diagram, draw a cartoon, or write a paragraph to explain the process (procedure) used to make a Federal statute. (A Federal statute is a law made by the legislative process described in Article I, Section 7). Illustrate your diagram, cartoon, or paragraph with specific examples from the Legislative Log of Senator Javits.

Examine the headings given in the Legislative Log of Senator Javits for the Ninety-Third Congress. (See page 16.)

- Explain how the fact that the Senator has to work on legislation in all of these areas could be a problem.
- Explain several reasons why both the Senate and the House of Representatives use a system of committees to work on legislation.

Examine the Committee Assignments of the New York State Members of the House of Representatives for the Ninety-Fourth Congress. (See pages 17-18.)

- What are the committee assignments for your Representatives?
- Why do you think the assignments are good ones for a Representative of your district?

In the House of Representatives, committee assignments used to be given strictly on the basis of seniority. Now each Representative gets at least one assignment before any Member gets a second assignment.

- Why is this important?
- How does it make the procedure of making statute law more democratic?

Examine the Committee on Appropriations of the House of Representatives (See page 22.)

- Why is this particular committee one of the largest in the House of Representatives?
- Why is the role of a Committee Chairman important?
- How are Committee Chairmen now selected in the House of Representatives? (See page 11.)
- How does this change make the process of making statute law more democratic?
- What is the Function of Subcommittees?
- What is the ratio that is maintained for both the Committee of the Whole and the various Subcommittees?
- Why is this ratio maintained?
- How do you think this makes the process of making statute law more democratic?

Select one of the following activities:

1. Take a copy of a particular legislation bill and either list the steps that a legislative committee would have to take in order to work to improve the bill or divide the class into small committees and actually work on the bill. Your Representative would probably send several copies of a bill to use.

2. Design a bill that would do something that you think needs to be done by government. If possible, present your bill to a committee for review.

3. Use a commercially prepared simulation of the decision-making process of a Congressional Committee. One such simulation is available from SRA as a part of its American Government Simulation Series.

Examine the morning schedule of Senator James L. Buckley. (See page 18.) Examine the morning and afternoon schedule of Representative Hamilton Fish, Jr. (See page 18.)

- What is Senator Buckley's problem at 10:00?
- Why is this problem greater in the Senate than in the House of Representatives?
- How can this problem deprive Senator Buckley of information needed to legislate?
- Why do committees publish records of their proceedings?
- Why do Senators and Members of the House of Representatives have legislative staff assistants?
- Why do staff assistants attend committee meetings regularly?
- What three groups does Representative Fish meet with during the day in order to share ideas with other Representatives?
- How can he learn more about the legislation in process by doing this?
- Representative Fish is going to attend the Judiciary Subcommittee meeting on oversight. What is oversight?
- Why is making statute law not enough?
- Why must Congress watch how a law is used?

Select one of the following activities:

1. Make a list of the procedural (process) values you believe are part of the process of preparing legislation.

2. Interview a member of a legislative body (Federal, state, or local) or invite a member of such a legislative body to come to class. In either case, try to find out how legislation is prepared. After the interview or presentation, a report or a chart could be presented to illustrate how the process works.

Making Statute Law - Limits on the Outcome

Examine the process - outcome box again.

Good Process	Good Outcome
Bad Process	Bad Outcome

We have worked with certain procedural values that most Americans believe are an important part of the legislative process. What about the statute laws that are actually produced? Even if we basically agree on how a law should be made, we frequently disagree on <u>what</u> that law should be. However, our society does have a method for limiting the kind of laws that can be produced.

Examine the material on page 23.

- What branch of the government has developed the power to declare a statute law unconstitutional?
- How does this power limit the kind of statute laws that can be passed?

Examine the material on page 23.

- How does an Amendment differ from a statute law?
- If the Constitution is changed, can a law declared unconstitutional by the Supreme Court be made constitutional?

Examine Amendments XVIII and XXI. (See pages 23-24.)

- Was Amendment XVIII passed by an acceptable process?
- Why was it repealed?
- What limitation does the society as a whole place on the kind of laws that can be made?

Select one of the following activities:

1. Investigate the reasons for the passage of Amendment XI. Describe in a paragraph or in an oral report how the passage of Amendment XI illustrates a limitation of the Supreme Court.

2. Select a local, state, or Federal statute that does not seem to be fulfilling the purpose for which it was written. Make a list of the reasons why this statute does not seem to be effective or, in a class discussion or in a paragraph discuss why this statute is not effective.

*See *Teaching About Basic Legal Concepts in the Senior High School*, Module V, pp. 32-40, for excerpts of the testimony concerning this.

THE CONSTITUTION

Article I, Section 7

All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by Yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

SENATOR JAVITS

HEADINGS OF THE LEGISLATIVE LOG
NINETY-THIRD CONGRESS

Note: This legislative log included 150 pieces of legislation which Senator Javits considered important highlights of the work of the Ninety-Third Congress.

Headings

Labor and Employment

Crime and Justice

Tax Reform

Watergate

Housing

Campaign Financing

Environment

Consumerism

Transportation

Agriculture, Food and Nutrition

Energy

Inflation, Economics

Banking

International Economics

Poverty, Social Service

Small Business

Government Reform

Foreign Relations

Defense

Education

Post Office and Civil Rights

Veterans

Handicapped

Health

NEW YORK STATE MEMBERS
OF THE
HOUSE OF REPRESENTATIVES OF THE UNITED STATES
WITH THEIR COMMITTEE ASSIGNMENTS

NINETY-FOURTH CONGRESS

D indicates Democratic Member
R indicates Republican Member
* indicates an incoming member

Districts are indicated by numbers
D indicates party change

	Members	Committee Assignments
D	1. Otis G. Pike	Ways and Means
D	2. *Thomas J. Downey	Armed Services
		Select Committee on Aging
D	3. *Jerome A. Ambro	Public Works and Transportation
		Science and Technology
R	4. Norman F. Lent	Interstate and Foreign Commerce
		Merchant Marine and Fisheries
R	5. John W. Wydler	Government Operations
		Science and Technology
D	6. Lester L. Wolff	Foreign Affairs
		Veterans' Affairs
D	7. Josph P. Addabbo	Appropriations
		Small Business
D	8. Benjamin S. Rosenthal	Foreign Affairs
		Government Operations
D	9. James J. Delaney	Rules
D	10. Mario Biaggi	Education and Labor
		Merchant Marine and Fisheries
		Select Committee on Aging
D	11. *James H. Scheuer	Interstate and Foreign Commerce
		Science and Technology
D	12. Shirley Chisholm	Education and Labor
D	13. *Stephen J. Solarz	Foreign Affairs
		Post Office and Civil Service
D	14. *Frederick W. Richmond	Agriculture
		Small Business
D	15. *Leo C. Zeferetti	Education and Labor
		Merchant Marine and Fisheries
D	16. Elizabeth Holtzman	Budget
		Judiciary
D	17. John M. Murphy	Interstate and Foreign Commerce
		Merchant Marine and Fisheries
D	18. Edward I. Koch	Appropriations
D	19. Charles B. Rangel	Ways and Means
D	20. Bella S. Abzug	Government Operations
		Public Works and Transportation
D	21. Herman Badillo	Judiciary
		Small Business
D	22. Jonathan B. Bingham	Foreign Affairs
		Interior and Insular Affairs
R	23. Peter A. Peyser	Agriculture
		Education and Labor
D	24. *Richard L. Ottinger	Interstate and Foreign Commerce
		Science and Technology
R	25. Hamilton Fish, Jr.	Judiciary
		Small Business
R	26. Banjamin A. Gilman	Foreign Affairs
		Post Office and Civil Service
D	27. *Matthew F. McHugh	Agriculture
		Veterans' Affairs
D	28. Samuel S. Stratton	Armed Services
D	29. *Edward W. Pattison	Judiciary
R	30. Robert C. McEwen	Appropriations
R	31. Donald J. Mitchell	Armed Services
		Standards of Official Conduct

NEW YORK STATE MEMBERS OF THE HOUSE OF REPRESENTATIVES (cont'd.)

	Members	Committee Assignments
D 32.	James M. Hanley	Banking, Currency and Housing Post Office and Civil Service Small Business
R 33.	William F. Walsh	Public Works and Transportation Veterans' Affairs
R 34.	Frank Horton	Select Committee on Aging Government Operations
R 35.	Barber B. Conable, Jr.	Joint Committee on Atomic Energy Budget Ways and Means
D 36.	*John J. LaFalce	Joint Committee on Internal Revenue Taxation Banking, Currency and Housing
D 37.	*Henry J. Nowak	Small Business District of Columbia
R 38.	Jack F. Kemp	Public Works and Transportation
R 39.	James F. Hastings	Appropriations Budget Interstate and Foreign Commerce

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SENATOR JAMES L. BUCKLEY
SCHEDULE
Wednesday, October 8, 1975

7:00 A.M.	Depart New York via Eastern Shuttle
8:00 A.M.	Arrive in Washington
8:00 A.M.	New York Delegation Breakfast with Chief Executive Officers of leading companies doing business in New York State
9:15 A.M.	Meeting of informal Senate Group on energy
10:00 A.M.	Subcommittee on Agricultural Research and General Legislation - testimony of Senator Buckley on legislation on food stamps
10:00 A.M.	Budget Committee meeting
10:00 A.M.	Subcommittee on Transportation - mark up of the Federal Highway Act
10:00 A.M.	Commerce Committee - meeting on metric conversion
10:00 A.M.	Surface Transportation Subcommittee - meeting on railroad reorganization

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REPRESENTATIVE HAMILTON FISH, JR.
SCHEDULE
Wednesday, October 8, 1975

8:00 A.M.	New York Delegation Breakfast with Chief Executive Officers of leading companies doing business in New York State
10:00 A.M.	Republican Conference on current economic conditions
10:00 A.M.	Judiciary Sub-Committee - meeting on problem of oversight
12:30 P.M.	New York Delegation Luncheon
5:00 P.M.	Wednesday Group meeting in Congressman McDade's Office

SENATOR JAVITS
LEGISLATIVE LOG
NINETY-THIRD CONGRESS
THREE SECTIONS

Note: This Legislative Log included information on specific bills in twenty-four different areas. The measures included in three of those areas are given here.

L E G I S L A T I V E L O G

It would be impossible to cover the wide range of my legislative activities within the space available here. This annual report therefore concisely presents the highlights of my Senate activities during the last session of the 93rd Congress.

Each item, unless otherwise noted, was in the form of a legislative bill or amendment. In some instances, legislation I worked on was incorporated in another bill.

Each item is coded according to this form to indicate its progress:

* now law
1 passed Senate
2 passed Senate and House, in conference
3 passed Senate and House, vetoed
4* passed both houses, veto overridden, now law
5 pending in committee
6 tabled

Since legislative bills are not carried over from one session of Congress to the next, all items coded 1, 2 and 5 died at the end of the session.

I will, of course, reintroduce many of them in the 94th Congress. They are included in this report to indicate more fully the scope and intent of my legislative activities.

LABOR AND EMPLOYMENT

H.R. 16596	Create 330,000 additional public service jobs, support job-creating public works projects and income replacement payment for millions of workers excluded from unemployment insurance system (prime sponsor)*.
H.R. 17597	Establish unemployment insurance benefit eligibility for up to 52 weeks (prime sponsor)*.
S. 2747	Raise Federal minimum wage, extend coverage of the Fair Labor Standards Act and curtail child labor in agriculture (prime sponsor)*.
S. 3203	Extend collective bargaining rights to employees of non-profit hospitals (prime sponsor)*.
S. 2008	Strengthen State workers' compensation programs by establishing Federal minimum standards (prime sponsor)5.

S. 3202	Strengthen enforcement powers of the Farm Labor Contractor Registration Act (voted yes)*.
S. 3208	Strengthen State workers' compensation programs by establishing Federal minimum standards (prime sponsor)5.
S. 3612	Improve benefits and insure continuation and financial stability of the railroad retirement system (voted yes)4*.
H.R. 13871	Improve workmen's compensation benefits for Federal employees (voted yes)*.
S. 4	Reform of private pension plans, providing for pension vesting, funding, plan termination insurance, portability, fiduciary standards, disclosure and government insurance, and new tax deductions for employees to establish their own pension plans (prime sponsor)*.

ENERGY

S. 2589	Mandate energy conservation and rollback domestic petroleum prices (cosponsor) 3.
S. 1283	Authorize crash programs for development of alternative energy sources (cosponsor) 2.
S. 3234 & S. 2658	Encourage solar energy research and development (cosponsor) Both*.
S. 2744	Establish agency to handle all government energy efforts in new Nuclear Regulatory Commission, replacing Atomic Energy Commission, with emphasis on safety (prime sponsor)*.
S. 2176	Mandate action in many fields of Federal responsibility to increase energy efficiency and eliminate waste (cosponsor) 1.
S. 2776	Establish Federal Energy Administration to deal with energy crisis (cosponsor)*.
S. 3267	Change utility rate structures to eliminate pricing inequities and increase utility efficiency (author) 1.

GOVERNMENT REFORM

S. 3418	Require implementation of criteria to govern classification of all allegedly sensitive national security and defense information (prime sponsor) 5.

S. 4145	Establish review of federal regulatory system to identify and eliminate rules and regulations that increase costs to the consumer without adequate justification (prime sponsor) 5.
P.L. 93-502	Eliminate abuses which have resulted in less rather than more routine government information reaching the public and put burden of proof on the government to justify withholding of information (prime sponsor)*.
S. 1541	Establish budget committee in Congress to improve handling of Federal budget and limit impoundment of funds by executive branch (prime sponsor)*.
S. 3877	Promote accountability in the executive branch (author) 5.
S. 3418	Establish a Federal Privacy Board to make and enforce rules protecting personal data files and define standards for disclosure of such information by government and private organizations (prime sponsor)*.

HOUSE OF REPRESENTATIVES
COMMITTEE ON APPROPRIATIONS

Ratio 37/18

Democrats

1. George H. Mahon, Tex., chairman
2. Jamie L. Whitten, Miss.
3. Robert L. F. Sikes, Fla.
4. Otto E. Passman, La.
5. Joe L. Evins, Tenn.
6. Edward P. Boland, Mass.
7. William H. Natcher, Ky.
8. Daniel J. Flood, Pa.
9. Tom Steed, Okla.
10. George E. Shipley, Ill.
11. John M. Slack, W. Va.
12. John J. Flynt, Jr., Ga.
13. Neal Smith, Iowa
14. Robert N. Giaimo, Conn.
15. Joseph P. Addabbo, N.Y.
16. John J. McFall, Calif.
17. Edward J. Patten, N.J.
18. Clarence D. Long, Md.
19. Sidney R. Yates, Ill.
20. Bob Casey, Tex.
21. Frank E. Evans, Colo.
22. David R. Obey, Wis.
23. Edward R. Roybal, Calif.
24. Louis Stokes, Ohio
25. J. Edward Roush, Ind.
26. Gunn McKay, Utah
27. Tom Bevill, Ala.
28. Bill Chappell, Jr., Fla.
29. Bill D. Burlison, Mo.
30. Bill Alexander, Ark.
31. Edward I. Koch, N.Y.
32. Yvonne Brathwaite Burke, Calif.
33. John P. Murtha, Pa.
35. Robert Duncan, Oreg.
36. Joseph D. Early, Mass.
37. Max Baucus, Mont.

Republicans

1. Elford A. Cederberg, Mich.
2. Robert H. Michel, Ill.
3. Silvio O. Conte, Mass.
4. Garner E. Shriver, Kans.
5. Joseph M. McDade, Pa.
6. Mark Andrews, N. Dak.
7. Burt L. Talcott, Calif.
8. Jack Edwards, Ala.
9. Robert C. McEwen, N.Y.
10. John T. Myers, Ind.
11. J. Kenneth Robinson, Va.
12. Clarence E. Miller, Ohio
13. Lawrence Coughlin, Pa.
14. C.W. Bill Young, Fla.
15. Jack F. Kemp, N.Y.
16. William L. Armstrong, Colo.
17. Ralph S. Regula, Ohio
18. Clair W. Burgener, Calif.

SUBCOMMITTEES OF THE COMMITTEE ON APPROPRIATIONS

Agriculture and Related Agencies	Ratio	8/3
Defense		9/3
District of Columbia		8/3
Foreign Operations		8/3
HUD - Independent Agencies		8/3
Interior		6/2
Labor - Health, Education, and Welfare		8/3
Legislative		8/4
Military Construction		6/2
Public Works		6/2
State, Justice, Commerce, and Judiciary		6/3
Transportation		6/2
Treasury - Postal Service - General Government		8/3

****

The Constitution
Article 1, Section 2

...Representatives and direct Taxes shall be apportioned among several States which may be included within this Union, according to their respective Numbers, ...

In 1894, the tariff law included a provision for an income tax.

In 1895, in a case called Pollock vs. Farmer's Loan and Trust, the income tax was declared unconstitutional by the Supreme Court.

AMENDMENT XVI
(Ratified February 3, 1913)

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

AMENDMENT XVIII
(Ratified January 16, 1919)

[SECTION I. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

[SECTION 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

[SECTION 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution

by the legislatures of the several States as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.]*

AMENDMENT XXI
(Ratified December 5, 1933)

SECTION 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

SECTION 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

SECTION 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

THE REPRESENTATIVE OF THE PEOPLE

The Districts

Until 1962 legislative districts within states were frequently drawn so that one representative represented many more people than another. In 1962, in a case called Baker v. Carr, the Supreme Court of the United States said that the state of Tennessee must redistrict its legislature so that each state representative represented approximately the same number of people. If districts were unequal in population, one citizen's vote had more value than another's.

This case led to careful redistricting for both state and Federal election districts. Today each New York State member of the House of Representatives represents approximately 300,000 people, or 2.6 percent of the State's population.

. What process value was violated by uneven districting?

Examine the chart on Congressional District Data and the maps of Congressional Districts (See pages 28-32.)

. Which district is most densely populated? Which district is least densely populated? Where does your district fall?

Examine the other statistics given on your district. (See page 28.)

. What would you expect would be the concerns of your Representative?

The Representatives

Members of the House of Representatives usually try to spend a reasonable amount of time in their districts. They may meet and talk with individual constituents or they may hear the concerns of a group of constituents with similar problems. Public appearances may be strictly ceremonial or the Representative may present his position on an issue that is important to him and to his constituents.

In order to perform well in Washington and to be reelected, a Representative must stay in touch with his or her district.

Representative Hamilton Fish, Jr. spends most of his weekends visiting his district. Read his schedule. (See page 33.)

. What different kinds of functions is Representative Fish performing?
. What different groups of people is he meeting?
. What different places in his district is he visiting?

Members of Congress often use their power and influence to help improve specific conditions in their districts. Congresswoman Elizabeth Holtzman notes these efforts in her newsletter in a section called "Helping the Community." The selection is from a May 1974 report. (See page 35.)

. Why might a Member of Congress be able to bring about specific community improvements more quickly than the members of the community could?

Frequently Members of the House of Representatives will work to introduce bills that respond to needs in their individual districts. Such a bill introduced by Congresswoman Shirley Chisholm is included in this section. (See page 34.)

- What does the word "bilingual" mean? What does the word "bipartisan" mean?
- Representative Chisholm represents the 12th District. Examine the statistics given for the 12th District on the Chart of Congressional District Data. Do you think this bill responds to the needs of some of Congresswoman Chisholm's constituents?

An ombudsman is a government official who investigates complaints against government officials. All Representatives carry out the role of ombudsman. All maintain at least one office in the district in addition to their main Washington office. If the district has a large land area, more than one constituent service office may need to be maintained.

CLIP AND SAVE

If you want to express your opinion on a current issue, or if you have a problem with which I might help, I encourage you to write or telephone any of my offices. You can be assured of a prompt reply.

WASHINGTON OFFICE	NIAGARA FALLS OFFICE	BUFFALO OFFICE
Rep. John J. LaFalce	Rep. John J. LaFalce	Rep. John J. LaFalce
House of Representatives	Main U.S. Post Office	Federal Building
Washington, D.C. 20515	Niagara Falls, New York 14302	Buffalo, New York 14202
Phone: (202) 225-3231	Phone: (716) 284-9976	Phone: (716) 842-2880

Representatives have some staff members who specialize in handling constituent problems. Frequently staff members in district offices will all specialize in constituent problems. When a constituent has a problem with the Federal bureacracy, frequently only his Washington representatives can help. Senator Javits, whose office handles some problems from all over New York State, dealt with 50,000 constituent cases in 1974.

The list of situations from the Congressional Newsletter of Hamilton Fish suggests some of the constituent problems with which Representatives deal. (See page 35.)

- Why is helping constituents with problems a necessary part of a Representative's job?
- Why do constituents frequently need help when dealing with the Federal bureaucracy?

32

Sometimes a Representative finds it necessary to put pressure on the executive branch of the government in order to have the executive agencies of the President himself take an action to meet the needs of the district. Whenever it is possible, Representatives work together as a pressure group to press the executive branch for a specific action.

On page 33 is a copy of a telegram sent by the New York Bi-Partisan Congressional Delegation to Arthur Burns, Chairman of the Board of Governors of the Federal Reserve System. The Federal Reserve System is an independent Federal regulatory board.

- Why might this telegram be more effective than a telegram sent by an individual New York State Representative?
- Why do Representatives frequently work together as a pressure group when they are dealing with the Federal Executive System?

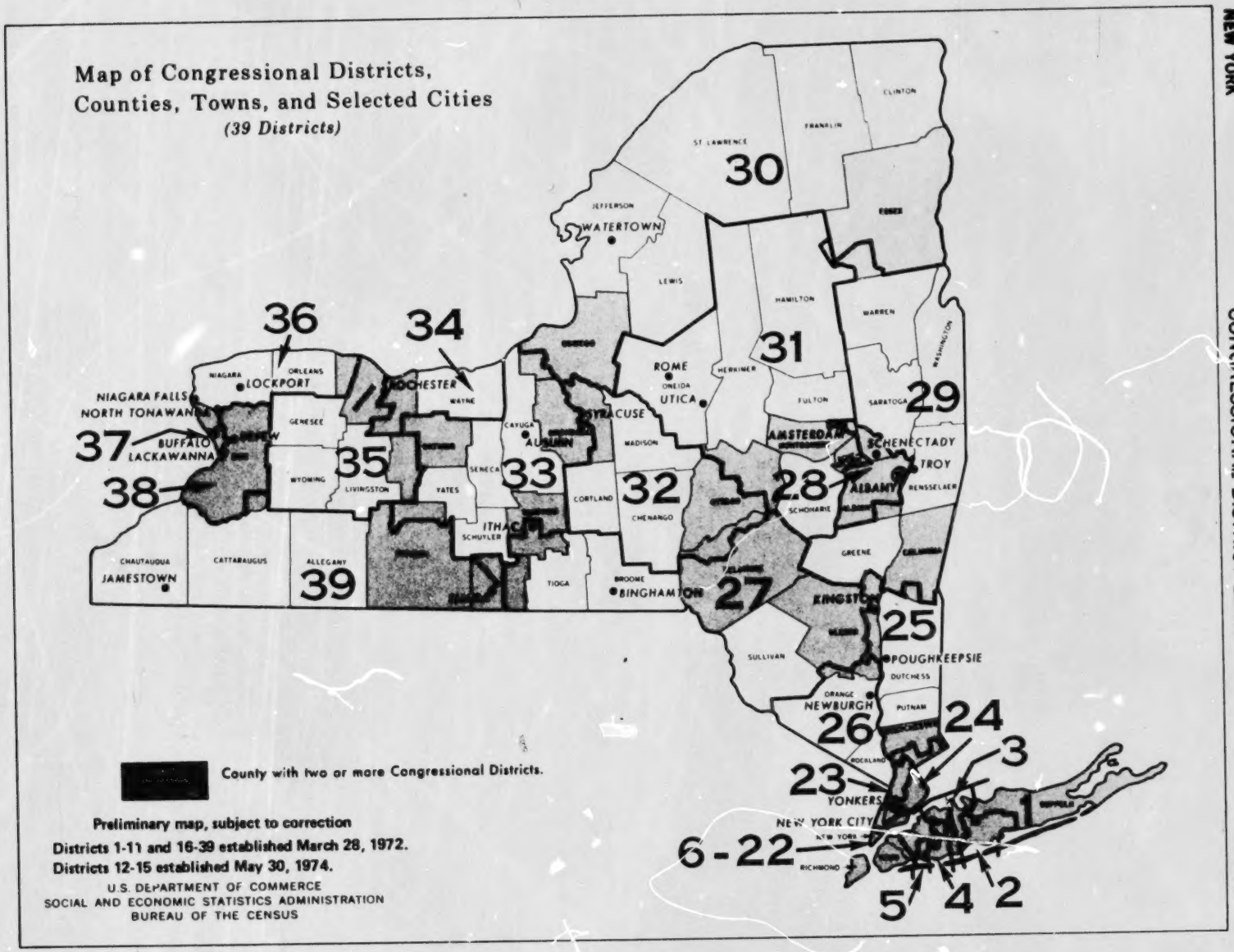
The Senators

- How do you think a Senator would fulfill the functions described in this section.
- How would his actions differ from those of a Representative?
- Why would his actions differ from those of a Representative?

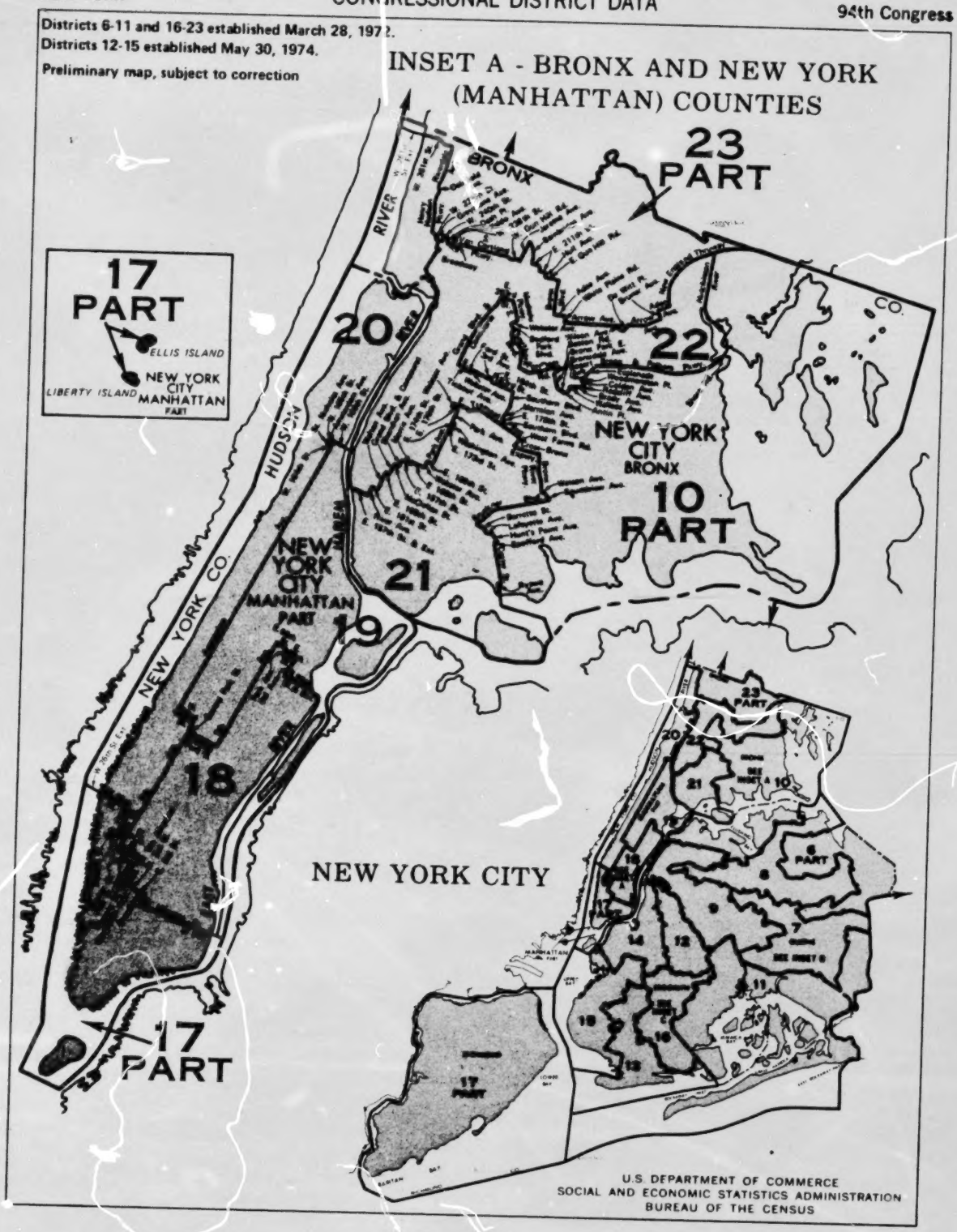
CONGRESSIONAL DISTRICT DATA
NEW YORK STATE
UNITED STATES CENSUS 1970

District	Population (per sq. mile)	Income (per capita)	Sample Occupations		
			Industry	Agriculture	Professions
1.	2,298.7	$3,271	29,091	3,256	37,184
2.	1,163.5	$3,143	39,170	1,476	31,444
3.	1,135.7	$4,159	42,618	1,450	35,252
4.	4,820.7	$4,198	36,273	1,037	33,424
5.	7,195.3	$4,581	33,884	1,130	37,087
6.	7,306.3	$5,184	37,765	884	40,614
7.	24,602.6	$3,861	37,994	688	38,078
8.	24,615.3	$4,484	48,771	401	40,146
9.	23,360.4	$3,737	51,747	299	23,850
10.	20,399.7	$3,275	37,992	395	29,011
11.	11,422.7	$3,292	35,708	521	28,596
12.	58,465.8	$1,993	40,879	464	20,606
13.	42,611.5	$3,715	41,846	280	31,471
14.	51,970.6	$2,510	39,670	155	30,642
15.	33,3[illegible]8.6	$3,292	41,528	289	25,537
16.	35,976.4	$3,661	33,829	296	41,371
17.	7,542.8	$3,447	32,030	307	36,629
18.	77,922.2	$8,828	41,958	385	68,235
19.	66,696.6	$3,088	29,999	300	40,578
20.	66,952.4	$4,431	42,815	321	55,008
21.	66,797.4	$1,800	33,045	275	20,031
22.	51,881.2	$3,259	35,089	328	36,691
23.	5,276.8	$4,452	39,825	1,134	43,322
24.	2,963.0	$5,302	40,731	1,748	43,452
25.	317.8	$3,511	49,565	3,313	39,430
26.	416.2	$3,361	38,555	3,342	39,392
27.	100.0	$3,026	51,341	5,588	40,520
28.	763.4	$3,529	41,606	1,438	41,225
29.	99.9	$2,879	45,392	5,480	33,097
30.	44.0	$2,498	35,036	9,762	35,356
31.	72.8	$2,858	57,088	7,378	32,539
32.	148.7	$3,179	48,139	6,713	39,057
33.	151.4	$2,975	50,693	6,897	36,987
34.	546.1	$3,881	71,058	3,070	37,212
35.	204.0	$3,294	73,714	5,442	32,099
36.	426.4	$3,245	67,464	2,933	32,678
37.	10,394.6	$2,802	57,140	490	34,895
38.	514.0	$3,495	53,544	2,352	33,464
39.	93.2	$2,727	57,709	7,902	31,959

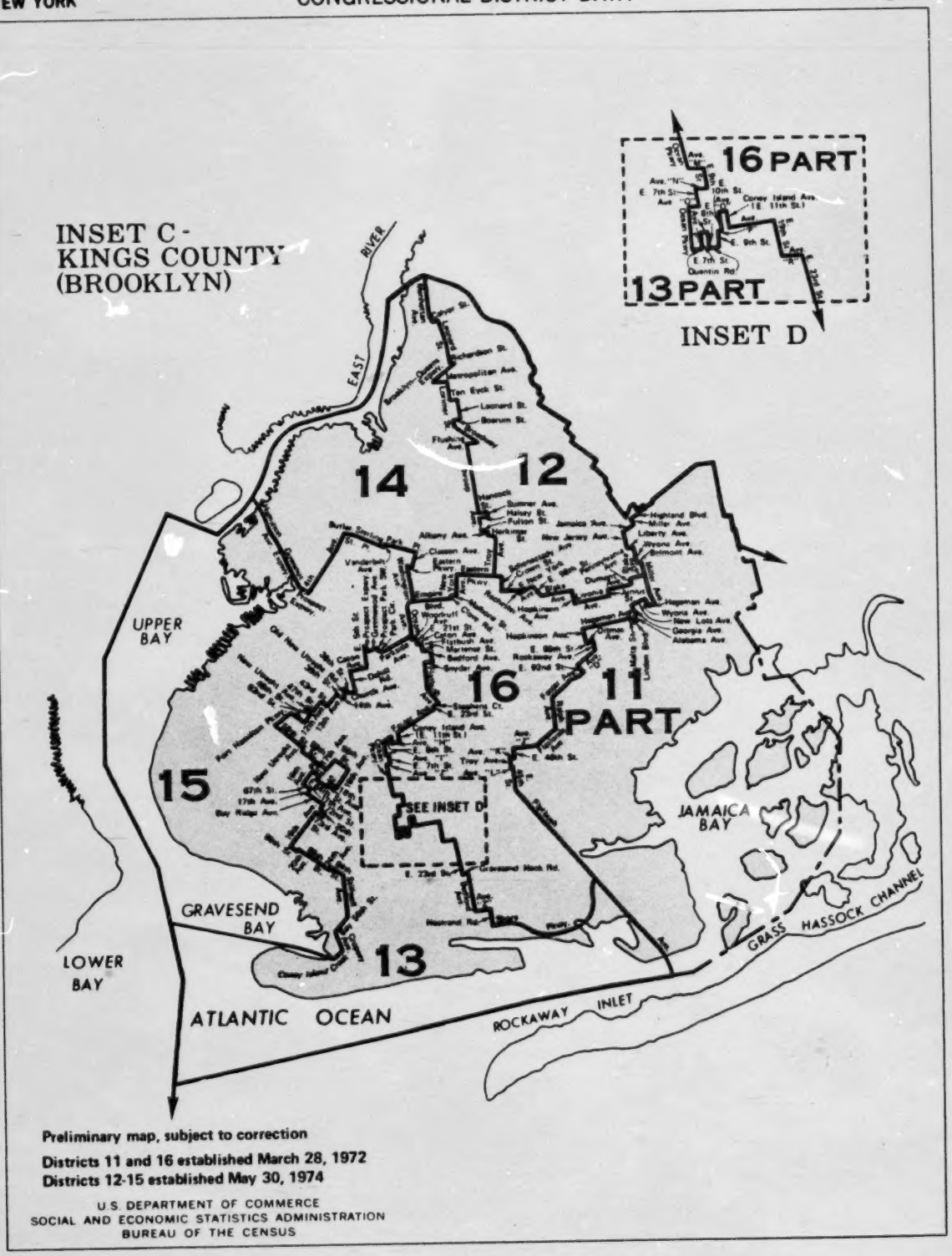
Source: U.S. Department of Commerce
Social and Economic Statistics Administration
Bureau of the Census



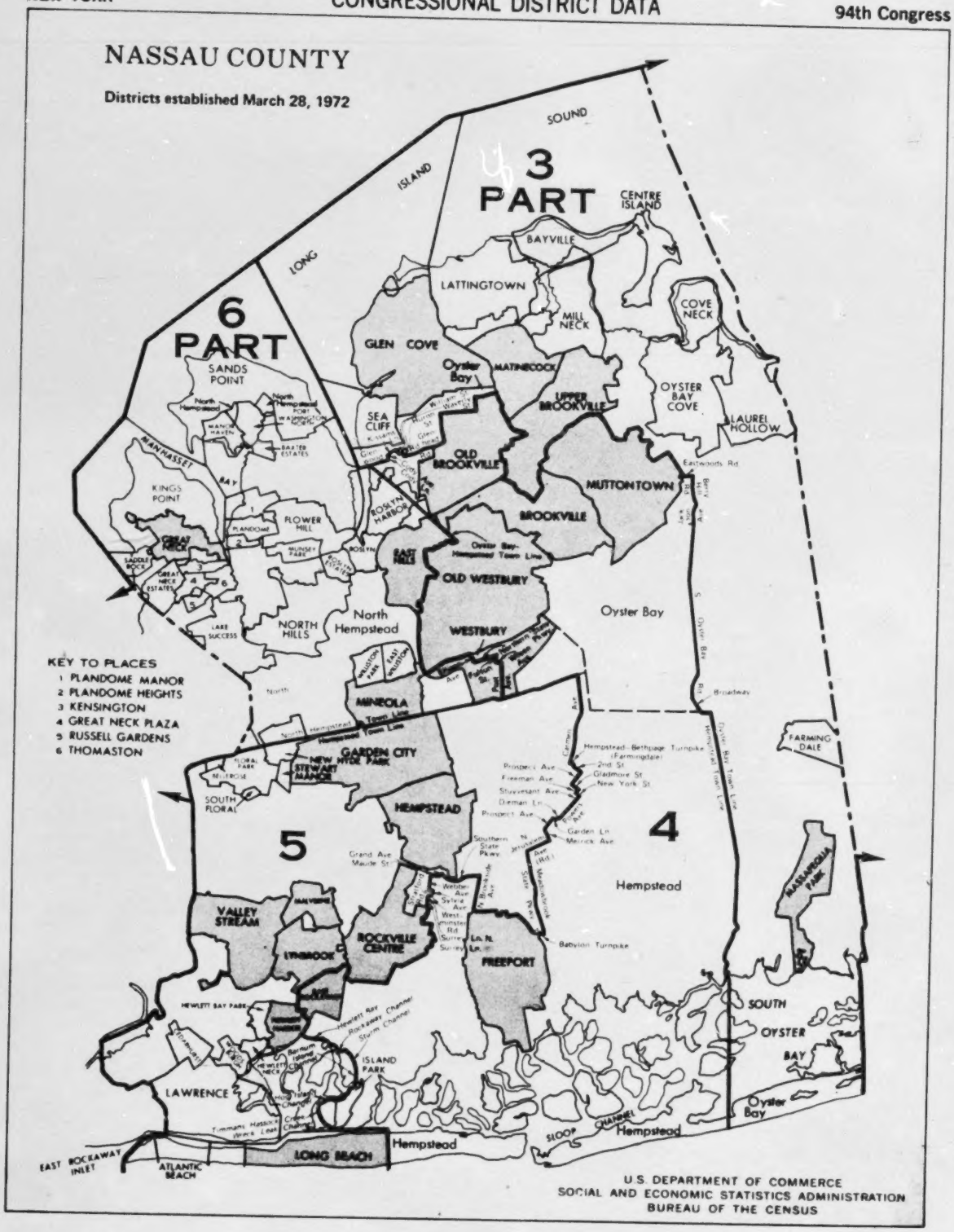
U.S. Department of Commerce, Social and Economic Statistics Administration, Bureau of the Census



U.S. Department of Commerce, Social and Economic Statistics Administration, Bureau of the Census



U.S. Department of Commerce, Social and Economic Statistics Administration, Bureau of the Census



U.S. Department of Commerce, Social and Economic Statistics Administration, Bureau of the Census

October 17, 1975

Arthur Burns
Chairman
Board of Governors of the
Federal Reserve Board
Federal Reserve Building
Washington, D.C. 20515

DEAR MR. CHAIRMAN:

ON BEHALF OF THE NEW YORK BI-PARTISAN CONGRESSIONAL DELEGATION, WE URGE THE FEDERAL RESERVE TO TAKE IMMEDIATE ACTION TO AVERT A DEFAULT BY NEW YORK CITY. NEITHER NEW YORK NOR THE COUNTRY CAN AFFORD THE ECONOMIC CATASTROPHE THAT WOULD ENSUE IF THE CITY IS ALLOWED TO GO INTO DEFAULT. THE NEW YORK BI-PARTISAN DELEGATION URGES THE FEDERAL RESERVE TO USE ITS CLEARLY VESTED AUTHORITY TO PURCHASE NEW YORK CITY BONDS AND NOTES ON THE OPEN MARKET TO AVERT TODAY'S POTENTIAL CATASTROPHE AND GIVE THE CONGRESS TIME TO TAKE LEGISLATIVE STEPS TO PROVIDE THE CITY WITH LONGER TERM AID.

JAMES J. DELANEY
CHAIRMAN

FRANK HORTON
VICE CHAIRMAN

Representative Hamilton Fish

Saturday, 11 October

9:30 - 11:45 A.M.	Dutchess and Ulster Senior Citizens Task Force Meeting Town Hall - Hyde Park
12:00 Noon	Kingston Bicentennial Celebration Fall Festival and Presentation of the Hyacinths Kingston Senate Museum
4:30 - 7:30 P.M.	Mr. and Mrs. Daniel Murphy Twenty-Fifth Anniversary Reception American Legion Hall, Millbrook
7:30 P.M.	69th Annual Columbus Day Banquet Italian Center Mill Street
8:15 P.M.	Christopher Columbus Club Peekskill
P.M.	Polish Night Peekskill Armory
12:00 Midnight	Peekskill Motor Inn - overnight

SHIRLEY CHISHOLM, M.C.

NEWS RELEASE

from **Congresswoman Shirley Chisholm**

DEMOCRAT, 12th DISTRICT, NEW YORK

123 CANNON HOUSE OFFICE BLDG. WASHINGTON, D.C. 20515 (202) 225-6231

Representative Shirley Chisholm announced today that a bi-partisan group of fourteen House Members, including Herman Badillo (D-N.Y.) [and] Mario Biaggi (D-N.Y.)...today introduced legislation to extend and expand Bilingual Vocational Education programs.

The House bill is a companion to legislation introduced in the Senate by Senator John Tower of Texas and Senator Josephy Montoya of New Mexico.

The legislation provides for Bilingual Vocational training for secondary and junior and community college programs as well as adu t vocational training. ...

Representative Chisholm, who is Spanish-speaking herself, commented "the language problems of our Puerto Rican, Mexican-American and Cuban citizens are well known to residents of the southwest and our large urban areas such as New York but what is less well understood is that there are other language groups which need and will benefit Lau vs. Nicholas court suit was brought by a group of parents from the Chinese community of Sam Francisce. In my own Congressional district, I have Puerto Ricans, French Speaking Haitians, and a sizable group of new Italian immigrants."

"Nowhere is the need for bilingual training more acute than in the Vocational field," stated Mrs. Chisholm; "so many of these minority youngsters come from poor families. They cannot afford to go on to college and must join the work force as soon as they graduate from high school. They desperately need the quality vocational instruction so they can effectively compete in the labor market. Bilingual instruction is necessary if they are to have an equal opportunity in the job market."

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Newsletter
Congresswoman Elizabeth Holtzman

HELPING THE COMMUNITY

These are a few of the community problems my office worked on in recent weeks:

. Emergency replacement of SSI and Social Security checks stolen from postal relay boxes in Midwood and Sheepshead Bay.
. A new school crossing guard for the P.S. 269 Annex at East 131st Street and Newkirk Avenue.
. Mailboxes repaired, with new schedules posted, in East Flatbush.
. Additional supplies of large print books to the Rugby Library.

Newsletter
Congressman Hamilton Fish

CAN WE HELP?

A Poughkeepsie mother applied for SSI payments for her handicapped daughter. In all she applied three times. Each application was denied. After my office contacted the Commissioner in her behalf the case was reviewed and her daughter, in addition to a lump-sum back payment, will receive $110 per month.

A Rhinebeck man, unable to get action from the Social Security Administration on a disability claim, wrote me. He has received a retroactive check for $3,060.00.

A Saugerties woman, following a move, had her VA checks stopped. After four months she contacted me. At our request the VA reviewed her case and found that in addition to the error of not sending out her checks she was being paid at a rate lower than that to which she was entitled.

If you have similar problems we want to help. Write me, sending your full name, your mailing address, your Social Security number, (or the number under which benefits are being paid), type of benefits you are receiving or for which you have applied, and please state exactly what your problem is. I'll see what we can do to be of help to you.

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THE PRESIDENT - THE LAWMAKER

This unit includes many examples of Presidential actions taken during two weeks in October. During one week, Congress was in session. During the second week, Congress was in recess. The information for all the examples given comes from a U.S. Government publication entitled "Weekly Compilation of Presidential Documents." This publication includes all statements, messages, and other Presidential materials released by the White House during any given week. The particular documents used were published on October 13, 1975 and on October 20, 1975.

The President - The Making of Administrative Law

The President of the United States holds a unique position as a law-maker in the United States. He plays an important part in the process of making statute law. But he also makes administrative law without the consultation of Congress.

In the two weeks in October, the President signed several Executive Orders. One dealt with adding a member from the Energy Research and Development Administration to each of the River Basin Commissions in the United States. A second granted a pay increase to certain Federal employees within the limits of Federal statutes on the subject. A third granted the Vice President of the United States a new Coat of Arms, Seal, and Flag. (Nelson Rockefeller thought the old design was an artistic disaster and had had a new design made.)

Examine Executive orders 11882, 11883, and 11884. (See page 38.)

- In what kinds of situations do executive orders seem to be issued?

The power of the President to make administrative rulings comes from his position as the Chief of the Executive Branch of the Federal Government. Frequently, executive orders are issued on routine matters. But President Harry S. Truman desegregated the United States Armed Forces with an executive order. The internment camps of World War II where Japanese-Americans were held were set up by executive order.

Other Federal Departments also make administrative law, and such departments frequently hand down administrative rulings. But only the President has the power to contribute to the process of the making of statute law and to make administrative law in a separate, independent process.

- How could this dual role of the President lead to conflict?
- How does this dual role contribute to the power of the President?
- How does this dual role make it difficult to limit the authority of the President?

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The President - The Making of Statute Law

The President plays an important part in the process of making statute law. During the two weeks in October, the President sent two messages to Congress urging the preparation and passage of laws in particular fields. In each case, a suggested written law was included in the message.

Examine the message on Energy Independence Authority. (See pages 39-40.)

- What kind of projects does the President propose to aid with Federal funds?
- How much money will be available for aid?
- Why does the President regard this proposed legislation as important?

Examine the Constitution, Article II, Section 3

- Why does the Executive Department frequently prepare proposed legislation for Congress to consider?

During the two weeks in October, the President also signed 10 bills sent to him by Congress. These 10 bills became Public Laws. One of these laws was important enough for a public signing ceremony to be held.

Examine the President's Remarks on the Early Warning System in the Sinai. (See page 41.)

Examine the Constitution, Article I, Section 7 (See page 38.)

- What Constitutional duty is the President fulfilling by signing this legislation?

Examine the Constitution, Article II, Sections 1 and 2. (See page 39.)

- How does this measure demonstrate the President's responsibility for the conduct of the foreign policy of the United States? How does he refer to the role of the Secretary of State?

Examine the Constitution, Article I, Section 8 (See page 39.)

- Given the history of the War in Vietnam, why is the President so careful to compliment Congress on cooperation and to thank them for Public Law 94-110? (See pages 41-42.)

Another bill became a law during the two weeks in October, but the President did not have a signing ceremony for it. In fact, he did not sign it.

Examine the Editor's Note for October 7, 1975 (See page 40.)

Examine the Constitution, Article I, Section 7 (See page 38.)

- What action had the President taken on October 3? What action had the House of Representatives and the Senate carried out by October 7? Describe the process by which Public Law 94-105 was enacted.

Executive Order 11882 October 6, 1975

MEMBERSHIP OF ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION ON ESTABLISHED RIVER BASIN COMMISSIONS

By virtue of the authority vested in me by section 202 of the Water Resources Planning Act..., and as President of the United States, it is hereby ordered as follows: ...

Executive Order 11883 October 6, 1975

ADJUSTMENTS OF CERTAIN RATES OF PAY AND ALLOWANCES

By virtue of the authority vested in me by the Constitution and the laws of the United States of America, and as President of the United States of America, it is hereby ordered as follows: ...

Executive Order 11884 October 7, 1975

PRESCRIBING THE OFFICIAL COAT OF ARMS, SEAL, AND FLAG OF THE VICE PRESIDENT OF THE UNITED STATES

By virtue of the authority vested in me as President of the United States, it is hereby ordered as follows: ...

The Constitution Article I Section 7

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by Yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approced by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Article I Section 8

The Congress shall have the power to declare war.

The Constitution Article II, Section I

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation: - "I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve protect and defend the Constitution of the United States."

Section 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the militia of the several States,... he may require the Opinion in writing of the principal Officer in each of the executive Departments, upon any subject relating to the Duties of their respective Offices

Section 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient: ...

Energy Independence Authority

The President's Letter to the Speaker of the House and to the President of the Senate Transmitting Proposed Legislation To Establish the Authority. October 10, 1975

Dear Mr. Speaker: (Dear Mr. President:)

Accordingly, I am herewith transmitting the Energy Independence Authority Act of 1975. This legislation would create a new partnership between the private sector and the Federal Government to assure action on vital energy projects in the next decade. The Federal financial assistance provided in this Act would be directed primarily toward the commercialization of those new technologies which

offer the greatest promise to develop new supplies and conserve our present energy resources. The financing would be limited to those projects which would not be initiated without new Federal assistance. The EIA would be authorized to invest up to $100 billion during a seven year period. It would terminate after ten years.

This legislation also addresses the need to simplify and expedite the increasingly complex process by which Federal regulatory decisions affect energy development. It provides for a more effective Federal licensing process by authorizing a coordinated single Federal application process and requiring Federal agencies to act promptly. The legislation would not alter the basic statutory responsibilities of Federal regulatory agencies.

The achievement of energy independence in the next decade requires a partnership of American business labor, and government. Each partner must bear a fair share of the burden in the national interest.

The Energy Independence Authority Act of 1975 will give the United States the tools necessary to achieve energy independence. I urge its prompt enactment by the Congress.

Sincerely,

GERALD R. FORD

NOTE: This is the text of identical letters addressed to the Honorable Carl Albert, Speaker of the House of Representatives, and to the Honorable Nelson A. Rockefeller, President of the Senate.

October 7, 1975

EDITOR'S NOTE: On October 7, 1975, a bill became law without the President's signature. H.R. 4222 was vetoed by the President in a message to the House of Representatives on October 3, 1975 (see page 1112 of this volume of the Weekly Compilation of Presidential Documents). The veto was overridden by the House of Representatives and the Senate on October 7, 1975. The legislative number, public law number, and title of the act are as follows:

H.R. 4222----------Public Law 94-105
National School Lunch Act and Child Nutrition Act of 1966 Amendments of 1975.

Early Warning System in the Sinai

The President's Remarks Upon Signing House Joint Resolution 683 Concerning U.S. Participation in the System To Be Established in the Buffer Zone Between Egyptian and Israeli Forces in the Sinai. October 13, 1975

I am deeply gratified today to sign this important measure which was approved last week by an overwhelming majority of both Houses of the Congress. My signature reaffirms the commitment of the United States to work toward a just and lasting peace for all nations and all peoples in the Middle East.

The Sinai agreement, which American civilians will help support, is significant step toward an overall settlement in the Middle East. But neither the United States nor Egypt nor Israel see it as an end to itself.

The war in October 1973 brought home to Americans just how dangerous another Arab-Israeli conflict would be, not only for the people of the area but for the entire world. It also brought home the pressing need for a just settlement of the problems which underlie the tension and instability in that part of the world.

As a result, for 2 years our Government, with the government of the countries directly involved, has been engaged in vigorous diplomatic efforts to promote the prospects of peace on the basis of Security Council Resolutions 338 and 242.

With the help and the negotiating skill of Secretary of State Kissinger, we have made great progress, in good part because of the trust placed in the United States by both Israel and its Arab neighbors. This confidence must be maintained if there is to be further progress and if the United States is to retain the mutually beneficial relationships it has established with Israel and the Arab states.

We must continue our diplomatic efforts with the parties in order to sustain the momentum toward peace generated by the Sinai agreement, and the United States must accept the responsibilities which flow from our stake in peace in the Middle East and from our bilateral relationships which form the foundation for success in our diplomatic efforts.

I will soon consult Congress on what is required to sustain these bilateral relationships, just as the Administration has consulted Congress very fully over the past month on the latest diplomatic step, including the use of United States civilians to further the peace process.

We anticipate the same support and understanding by the Congress. The overall Middle East policy of the United States is founded upon the most basic reasons of national necessity as well as our desire to help bring peace to regions whose peoples have suffered too much already.

I reaffirm today that we will not accept stagnation or stalemate in the Middle East. The participation of the United States civilians in the Sinai early warning system demonstrates that determination.

I appreciate very greatly the cooperation of the Congress in this important contribution to stability and peace.

Thank you very much.

NOTE: The President spoke at 2 p.m. in the Oval Office at the White House.

As enacted, the joint resolution (H.J. Res. 683) is Public Law 94-110, approved October 13, 1975.

Sometimes the President proposes a complex program that will need more than one action on the part of the legislative branch in order to become law. The President, working to reduce the size and scope of the Federal government, had some new proposals for taxing and spending. The President asked for network time and announced these proposals in a speach to the nation.

Examine the parts of the President's Address on Federal Taxes and spending that have been included. (See pages 43-44.)

- In section A, what two proposals does the President make? What reason does he give for making those proposals?
- In section B, what kind of tax cut is the President proposing?
- In section C, why is the President worried about the size of the Federal budget? Why could Federal spending jump to more than 420 billion without a single new program ?
- In section D, what does the President think that Congress might do? What action does he threaten to take?
- In section E, how does he appeal to the people?
- Why does the President have to turn to Congress in order to cut Federal taxes and reduce Federal spending? How is the President trying to put pressure on Congress to pass the bills he wants?

FEDERAL TAXES AND SPENDING

The President's Address to the Nation
October 6, 1975

Good Evening.

[A]

I have asked for this opportunity to talk with you tonight because it is important that all of us begin facing up to a fundamental decision about our nation's future.

For several years, America has been approaching a cross roads in our history. Today we are there.

To put it simply, we must decide whether we shall continue in the direction of recent years-the path toward bigger government, higher taxes, and higher inflation-or whether we shall now take a new direction-bringing a hait to the momentous growth of government, restoring our prosperity, and allowing each of you a greater voice in your own future.

Tonight I will set forth two proposals that, taken together, as they must be, represent the answer I believe we must choose:

First, I propose that we make a substantial and permanent reduction in our Federal taxes; and,

Second, I propose that we make a substantial reduction in the growth of Federal spending.

Let me emphasize at the outset that these proposals must be tied together in one package. It would be dangerous and irresponsible to adopt one without the other. I will not accept that as an answer for our future. I want these proposals acted upon together by the Congress. Together, they represent one central and fundamental decision: that America belongs to you, the people, and not to the Government.

[B]

Tonight, I propose permanent tax reductions totaling $28-billion-the biggest single tax cut in our history. Earlier this year the Congress passed, and I signed, a temporary tax cut covering calendar year 1975. That temporary law will expire at the end of this year, and unless we act now, your taxes will go up again in January. I am proposing that we sweep away that temporary law and replace it, effective Jan. 1. with a permanent Federal income tax cut that will be both larger and more equitable.

[C]

We must recognize that cutting of taxes is only half the answer. If we cut only taxes, but do not cut the growth of government spending budget deficits will continue to climb, the Federal Government will continue to borrow too much money from the private sector, we will have more inflation, and ultimately we will have more unemployment. Substantial cuts in your taxes must be tied to substantial cuts in the growth of government spending.

Anyone who has followed the upward leap in Federal spending can only shake his head in astonishment. Back in 1962, the Federal budget for the first time in our history ran over $100-billion. In only eight years, the budget doubled in size, In the coming fiscal year, unless we act, it will double again to over $400-billion.

One of the reasons for this horrendous spending growth is that much of the increase in each year's budget is required by programs already on the statute books. Many of these programs were first enacted years ago, and while individually they might have appeared manageable then, today, taken together, they are out of control. They are like a freight train whose lights were first seen far off in the night. That train has been coming closer and closer, and now it is roaring down upon us. If we don't slow it down, Federal spending next year could easily jump to more than $420-billion-without a single new Federal program.

[D]

If we allow "politics as usual" to prevail in the Congress, there will be a temptation to overwhelmingly approve the tax cuts and do nothing on the spending cuts. That must not happen. I will go forward with the tax cuts that I am proposing only if there is a clear, affirmative decision by your representatives in the House and the Senate that they will hold spending next year to $395-billion. I will not hesitate to veto any leglislation passed by the Congress which violates the spirit of that understanding. I want these actions to be a first step-and they are a crucial step toward balancing the Federal budget within three years.

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[E]

America's greatness was not built by taxing people to their limits but by letting our people exercise their freedom and their ingenuity to their limits. Freedom and prosperity go hand in hand. The proof is there to see around the world. Only by releasing the full energies of our people-only by getting the Government off your back and out of your pocket-will we achieve our goals of stable prices and more jobs.

I deeply believe that our nation must not continue down the road we have been traveling. Down that road lies the wreckage of many great nations of the past. Let us choose instead the other road-the road that we know to be tested, the road that will work.

As your President, I cannot take this journey alone. I need the help of you, the American people, to persuade your Congressmen and your Senators that you want the growth in government spending cut so that your taxes can cut now. I need the help of the farmer in Iowa, the housewife in California, the retired couple in Florida, the small businessman in New Jersey, the student in Texas-all of you. This must be a national effort. America should not belong to the government, but to the people. You can serve the nation by helping us make the right choice for the future.

Thank you, and good evening.